

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEVEN WAYNE BONILLA,
Plaintiff,

v.

COUNTY RECORDER'S OFFICE, et.
al.,
Defendants.

Case Nos. [21-cv-08636-PJH](#)
[21-cv-08638-PJH](#)
[21-cv-08888-PJH](#)

**ORDER DISMISSING MULTIPLE
CASES WITH PREJUDICE**

Plaintiff, a state prisoner, has filed multiple pro se civil rights complaints under 42 U.S.C. § 1983. Plaintiff is a condemned prisoner who also has a pending federal habeas petition in this court with appointed counsel. *See Bonilla v. Ayers*, Case No. 08-0471 YGR. Plaintiff is also represented by counsel in state court habeas proceedings. *See In re Bonilla*, Case No. 20-2986 PJH, Docket No. 1 at 7.

Plaintiff presents very similar claims in these actions.¹ He seeks relief regarding his underlying conviction or how his other cases were handled by the state and federal courts.

To the extent that plaintiff seeks to proceed *in forma pauperis* (IFP) in these cases, he has been disqualified from proceeding IFP under 28 U.S.C. § 1915(g) unless he is “under imminent danger of serious physical injury” at the time he filed his complaint. 28 U.S.C. 1915(g); *In re Steven Bonilla*, Case No. 11-3180 CW; *Bonilla v. Dawson*, Case No. 13-0951 CW.

¹ To the extent a second plaintiff wishes to also proceed in these actions, that plaintiff must file his own separate cases.

1 The allegations in these complaints do not show that plaintiff was in imminent
2 danger at the time of filing. Therefore, he may not proceed IFP. Moreover, even if an
3 IFP application were granted, his lawsuits would be barred under *Heck v. Humphrey*, 512
4 U.S. 477, 486-87 (1994), *Younger v. Harris*, 401 U.S. 37, 43-54 (1971), *Demos v. U.S.*
5 *District Court*, 925 F.2d 1160, 1161-62 (9th Cir. 1991) or *Mullis v. U.S. Bankruptcy Court*,
6 828 F.2d 1385, 1393 (9th Cir. 1987). Accordingly, the cases are dismissed with
7 prejudice.

8 The clerk shall terminate all pending motions and close these cases. The clerk
9 shall return, without filing, any further documents plaintiff submits in these closed cases.

10 **IT IS SO ORDERED.**

11 Dated: December 8, 2021

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13 /s/ Phyllis J. Hamilton

14 PHYLLIS J. HAMILTON
15 United States District Judge
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